

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**Crl.Misc. No.69012-M of 2006
Date of Decision:- 20.02.2007**

Rajesh

....Petitioner(s)

through
Mr.H.L.Bhatia, Advocate

vs.

State of Haryana & ors.

....Respondent(s)

through
Mr.R.D.Sharma, Sr. DAG, Haryana.

CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

SURYA KANT, J.

The petitioner, who is a life convict, has been denied parole for house repairs on the ground that as per the report of the District Magistrate, Banka (Bihar), his case for parole has not been recommended and as such it is not possible to release him.

In the written statement, the respondents have come up with the plea that the report has been obtained and it has been found that the petitioner's house is in good condition and it does not require any repairs.

So far as the reason assigned in the impugned order is concerned, the same is quite vague and evasive, therefore, it cannot sustain. No reason appears to have been assigned by the District Magistrate as to why the petitioner's case was not recommended.

However, the reason assigned in the written statement which is based upon the police report (Annexure R-1) it is apparent that the petitioner's house does not require any repairs. Obviously, the petitioner has failed to make out a case of “sufficient cause” under Section 3(1)(d) of the Act. Consequently no interference in the impugned order is called for.

However, if in future the petitioner's house requires any genuine repairs, he may move another application along with supporting material and the same shall be considered and disposed of by the Competent Authority within a period of three months from the date of its receipt.

Disposed of.

February 20, 2007
poonam

(SURYA KANT)
JUDGE